



General Assembly

January Session, 2001

**Committee Bill No. 281**

LCO No. 4638

Referred to Committee on Government Administration and  
Elections

Introduced by:  
(GAE)

**AN ACT CONCERNING VOTING TECHNOLOGY.**

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1       Section 1. (a) There is established a commission to study the use of  
2       new voting technology in this state. The commission shall submit a  
3       report on its findings and recommendations in accordance with  
4       subsection (g) of this section.

5       (b) The commission shall consist of the following members:

6       (1) One appointed by the speaker of the House of Representatives;

7       (2) One appointed by the president pro tempore of the Senate;

8       (3) One appointed by the majority leader of the House of  
9       Representatives;

10      (4) One appointed by the majority leader of the Senate;

11      (5) One appointed by the Secretary of the State;

12      (6) One appointed by the State Elections Enforcement Commission;

13 (7) One appointed by the Secretary of the Office of Policy and  
14 Management;

15 (8) The chairpersons and ranking members of the joint standing  
16 committee of the General Assembly having cognizance of matters  
17 relating to government administration and elections, or their  
18 designees;

19 (9) Two appointed by the Registrars of Voters Association of  
20 Connecticut, with each member from a different political party; and

21 (10) Two appointed by the Connecticut Town Clerks Association,  
22 with each member from a different political party.

23 (c) Any member of the commission appointed under subdivision  
24 (1), (2), (3), (4) or (8) of subsection (b) of this section may be a member  
25 of the General Assembly.

26 (d) All appointments to the commission shall be made not later than  
27 thirty days after the effective date of this section. Any vacancy shall be  
28 filled by the appointing authority.

29 (e) The chairpersons of the joint standing committee of the General  
30 Assembly having cognizance of matters relating to government  
31 administration and elections, or their designees, shall serve as  
32 chairpersons of the commission. The chairpersons shall schedule the  
33 first meeting of the commission, which shall be held not later than  
34 sixty days after the effective date of this section.

35 (f) The administrative staff of the joint standing committee of the  
36 General Assembly having cognizance of matters relating to  
37 government administration and elections shall serve as administrative  
38 staff of the commission.

39 (g) Not later than January 1, 2002, the commission shall submit a  
40 report on its findings and recommendations to the Secretary of the  
41 State, and to the joint standing committee of the General Assembly

42 having cognizance of matters relating to elections in accordance with  
43 the provisions of section 11-4a of the general statutes. The report shall  
44 include (1) a recommendation on the type of voting technology that  
45 the Secretary of the State should approve for use in all elections,  
46 primaries and referenda held in this state pursuant to title 9 of the  
47 general statutes, (2) a plan for installing and maintaining the  
48 recommended voting technology, (3) a plan for providing necessary  
49 training and public information concerning the voting technology and  
50 (4) criteria for distributing grants-in-aid pursuant to section 2 of this  
51 act. The commission may not recommend the use of any voting  
52 machine or technology that records votes by means of holes punched  
53 in designated voting response locations. The commission shall  
54 terminate on the date it submits the report or January 1, 2002,  
55 whichever is earlier.

56       Sec. 2. The Secretary of the State shall provide grants-in-aid to  
57 municipalities to defray the costs of acquiring, installing and  
58 maintaining voting machines that are recommended by the  
59 commission established in section 1 of this act and approved by the  
60 Secretary of the State under sections 9-241 and 9-242 of the general  
61 statutes, as amended by this act. The Secretary of the State shall  
62 distribute the grants-in-aid based on the criteria established by the  
63 commission in section 1 of this act.

64       Sec. 3. (NEW) (a) There is established an account to be known as the  
65 "voting technologies account", which shall be a separate nonlapsing  
66 account within the General Fund. The account may contain any  
67 moneys required by law to be deposited in the account. The moneys in  
68 said account shall be allocated for the purposes of providing grants-in-  
69 aid pursuant to section 2 of this act.

70       (b) Notwithstanding the provisions of section 4-30a of the general  
71 statutes, the State Treasurer shall transfer twenty million dollars of the  
72 unappropriated surplus in the General Fund for the fiscal year ending  
73 June 30, 2001, to the voting technologies account.

74 Sec. 4. Section 9-241 of the general statutes is repealed and the  
75 following is substituted in lieu thereof:

76 (a) All elections, primaries and referenda held pursuant to this title  
77 shall be conducted by using the same type of voting machine at all  
78 locations.

79 (b) The Secretary of the State shall approve a voting machine for use  
80 at elections, primaries and referenda held pursuant to this title based  
81 on the recommendations of the commission established in section 1 of  
82 this act. The secretary shall designate such machines by adopting  
83 regulations in accordance with the provisions of chapter 54. The  
84 regulations shall include a description of the voting machine,  
85 specifications and standards for the machine and provisions for use of  
86 the machine, including, but not limited to, the adjustment of the  
87 machine in preparation for voting, process of voting, canvass of votes  
88 cast and certifications.

89 (c) Any person owning or holding an interest in any voting  
90 machine, as defined in subsection (w) of section 9-1, may apply to the  
91 Secretary of the State to examine such machine and report on its  
92 accuracy and efficiency. The Secretary of the State shall examine the  
93 machine and determine whether, in [his] the secretary's opinion, the  
94 kind of machine so examined meets the requirements of section 9-242,  
95 as amended by this act, and can be used at elections, primaries and  
96 referenda [under] held pursuant to this title. If the Secretary of the  
97 State determines that the machine can be so used and adopts  
98 regulations under subsection (b) of this section, such machine [may be  
99 adopted] shall be approved for such use. No machine not so approved  
100 shall be so used. Each application shall be accompanied by a fee of one  
101 hundred dollars and the Secretary of the State shall not [give his] make  
102 such a determination or initiate the process for adopting said  
103 regulations for approval of any machine until such fee and the  
104 expenses incurred by [him] the secretary in making the examination  
105 have been paid by the person making such application. Any voting

106 machine company [which] that has had its voting machine approved  
107 and [which] that subsequently alters such machine in any way [,] shall  
108 provide the Secretary of the State with notice of such alterations,  
109 including a description thereof and a statement of the purpose of such  
110 alterations. If any such alterations appear to materially affect the  
111 accuracy, appearance or efficiency of the machine, or modify the  
112 machine so that it can no longer be used at elections, primaries or  
113 referenda [under] held pursuant to this title, at the discretion of the  
114 Secretary of the State, the company shall submit such alterations for  
115 inspection and approval, at its own expense, and the secretary shall  
116 amend the regulations adopted under subsection (b) of this section  
117 before such altered machines may be used. The Secretary of the State  
118 may adopt regulations in accordance with the provisions of chapter 54  
119 concerning examination [and approval] of voting machines under this  
120 section.

121 (d) No voting machine that records votes by means of holes  
122 punched in designated voting response locations may be used at any  
123 election, primary or referendum under this title.

124 Sec. 5. Section 9-242 of the general statutes is repealed and the  
125 following is substituted in lieu thereof:

126 (a) A voting machine approved pursuant to regulations adopted by  
127 the Secretary of the State under subsection (b) of section 9-241, as  
128 amended by this act, shall be so constructed as to provide facilities for  
129 voting for the candidates of at least nine different parties or  
130 organizations. [It] The machine shall (1) permit voting in absolute  
131 secrecy, [, It shall be provided] (2) be equipped with a lock by means of  
132 which any illegal movement of the voting or registering mechanism is  
133 absolutely prevented, [, Such machine shall] and (3) be so constructed  
134 that an elector cannot vote for a candidate or on a proposition for  
135 whom or on which [he] the elector is not lawfully entitled to vote.

136 (b) [It] The machine shall be so constructed as to prevent an elector  
137 from voting for more than one person for the same office, except when

138 [he] the elector is lawfully entitled to vote for more than one person for  
139 that office, and it shall afford [him] the elector an opportunity to vote  
140 for only as many persons for that office as [he] the elector is by law  
141 entitled to vote for, at the same time preventing [his] the elector from  
142 voting for the same person twice. [It] The machine shall be so  
143 constructed that all votes cast will be registered or recorded by the  
144 machine.

145 (c) Notwithstanding the provisions of subsection (b) of this section,  
146 the Secretary of the State may [approve] adopt regulations under  
147 subsection (b) of section 9-241, as amended by this act, approving a  
148 voting machine [which] that requires the elector in the polls to place  
149 [his] the elector's ballot into the recording device and which meets the  
150 voluntary performance and test standards for voting systems adopted  
151 by the Federal Election Commission on January 25, 1990, as amended  
152 from time to time, [and regulations which the Secretary of the State  
153 may adopt in accordance with the provisions of chapter 54,] provided  
154 the voting machine shall (1) warn the elector of overvotes, (2) not  
155 record overvotes and (3) not record more than one vote of an elector  
156 for the same person for an office.

157 Sec. 6. Section 9-242a of the general statutes is repealed.

158 Sec. 7. This act shall take effect from its passage.

**Statement of Purpose:**

To establish a commission to study the use of new voting technology in this state, to require the use of the new technology and to provide funds to municipalities to offset the cost of the new technology.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*

Co-Sponsors: SEN. SULLIVAN, 5th Dist.